IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO. 758 OF 1999

IN

SUMMARY SUIT NO. 2700 OF 1999

Garden Finance Ltd .....Plffs.
vs.
Nielcon Ltd and anr. .....Defnds.

Ms.Farzana Bheyram i/b. F and B Associates
for the plaintiffs.
Mr.U.S. Patole, Asstt, Official Liquidator
for the defendants.

CORAM: S.U. KAMDAR, J.

DATE : 6th September, 2005.

P.C. :.

1. The present suit is filed on three dishonoured bill of exchanges dated 10.1.96, 15.1.96 and 29.3.96. The defendant company has gone into liquidation. The liquidator has filed a reply to the Summons for Judgment and states that he has no

knowledge of the transactions which are carried out prior to the date of the suit. In any view of the matter the plaintiff is entitled to the decree for the aforesaid amount. In view thereof the suit is decreed in terms of prayer (b). However it is clarified that the plaintiff will file their claim with the liquidator as an ordinary creditor.

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